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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/731,696

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Stratton C. Lloyd

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CAMPBELL STEPHENSON LLP  
11401 CENTURY OAKS TERRACE  
BLDG. H, SUITE 250  
AUSTIN, TX 78758

EXAMINER

NGUYEN, THUY-VI THI

ART UNIT

PAPER NUMBER

4175

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/731,696	<b>Applicant(s)</b> LLOYD ET AL.	
	<b>Examiner</b> THUY-VI NGUYEN	<b>Art Unit</b> 4175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because the hand written on the figures are difficult to read. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The disclosure is objected to because of the following informalities: Summary of invention is missing in the specification. See MPEP 608.01(d) and 37 CFR 1.73.

Appropriate correction is required.

### ***Double Patenting***

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory

double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claim 1 is provisionally rejected on the ground of nonstatutory double patenting over claim 1 of copending Application No. 10/731,418. This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows:

<b>Instant application</b>	<b>Co-pending application</b>
<p>Claim 1. A method in a computer system for presenting forecast information, the method comprising:</p> <ul style="list-style-type: none"><li>- providing forecast snapshots, each forecast snapshot having a forecast date, a forecast period, and summary forecasts;</li><li>- receiving from a user a request to display forecast information for a forecast period;</li><li>- for each forecast snapshot for the requested forecast period, retrieving</li></ul>	<p>Claim 1. A method in a computer system for defining a forecast snapshot, the method comprising:</p> <ul style="list-style-type: none"><li>-receiving from a user an interval for creating forecast snapshots;</li><li>- receiving from the user a day within the interval for creating forecast snapshots;</li><li>- receiving from the user roles of participants to be included in the forecast snapshots;</li></ul>

<p>forecasts for participants of the forecast;</p> <ul style="list-style-type: none"><li>- retrieving current opportunities for the user; and</li><li>- generating a display description with a summary area that includes:<ul style="list-style-type: none"><li>-summary information of the retrieved forecasts for participants of the forecast, a participants area that includes information of the retrieved forecasts of each participant, and a user area that includes information of the retrieved current opportunities of the user.</li></ul></li></ul>	<ul style="list-style-type: none"><li>- notifying the participants of the creation of a forecast snapshot so the participants can update their forecast information; and</li><li>- generating a forecast snapshot based on the opportunity information of the participants in accordance with the day within the interval.</li></ul>
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Furthermore, there is no apparent reason why applicant would be prevented from presenting claims corresponding to those of the instant application in the other copending application. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Amerasinghe et al (US 2007/0208608).

Regarding to claim 1, Amerasinghe et al disclose a method in a computer system for presenting forecast information, the method comprising:

providing forecast snapshots, each forecast snapshot having a forecast date, a forecast period, and summary forecasts [...creates forecast data; see par. 0118, lines 1-5; at least figure 22 for forecast date 216, forecast period 448 and summary forecasts 437];

receiving from a user a request to display forecast information for a forecast period [...for example: the system will automatically displays or fills in forecast date when receiving the input from user such as a forecast series name; see par. 0120; par. 0123, lines 1-4 and par. 0143, lines 14-16; and figures 20-22];

for each forecast snapshot for the requested forecast period, retrieving forecasts for participants of the forecast [...forecast data stored in the database are then retrieved corresponding to the user; see par. 0006, lines 8-18; par. 0065, lines 1-11 and figures 6A-6B];

retrieving current opportunities for the user [...users enters opportunities information and able to view detail revenue schedule information for the opportunity; see par. 0102, lines 1-5; par. 0104, lines 1-5; par. 0106; 0108 and figures 16-17].

generating a display description with a summary area that includes summary information of the retrieved forecasts for participants of the forecast, a participants area that includes information of the retrieved forecasts of each

participant, and a user area that includes information of the retrieved current opportunities of the user [...summary view 460; participant area 464 and 462 that includes participant information; the form 462 is also a user area that enable a user to view his or her forecast and others participant; see par. 0139; 0140; 0141 and figures 24-27].

Regarding to claim 2, Amerasinghe et al disclose wherein the information of the areas includes a date for each forecast snapshot [see par. 0142, lines 7-10 and figure 25].

Regarding to claim 3, Amerasinghe et al disclose wherein the participants area includes a row for each participant that, when selected, provides more detailed information about each participant [see par. 0141, lines 10-18 and figures 24-25].

Regarding to claim 4, Amerasinghe et al disclose wherein information of the summary area includes closed revenue and forecast revenue [...revenue class/closed revenue; see par. 0105, lines 4-5; and figure 16; forecast revenue; see par. 0116, lines 1-3 and figure 19].

Regarding to claim 5, Amerasinghe et al disclose wherein information of the summary area includes pipeline revenue [...total revenue for all revenue/pipeline revenue; see figures 26-27].

Regarding to claim 6, Amerasinghe et al disclose 6 wherein the information of the summary area includes expected revenue [see par. 0115, lines 8-9 and figure 25].

Regarding to claim 7, Amerasinghe et al disclose wherein the information of the participants area includes closed revenue and forecast revenue [...revenue class/closed



revenue; see par. 0105, lines 4-5; and figure 16; forecast revenue; see par. 0116, lines 1-3 and figure 19].

Regarding to claim 8, Amerasinghe et al disclose wherein the information of the participants area includes pipeline revenue [...total revenue for all revenue/pipeline revenue; see figures 26-27].

Regarding to claim 9, Amerasinghe et al disclose wherein the information of the participants area includes name of the participant [see figures 24-25].

Regarding to claim 10, Amerasinghe et al disclose wherein the user area includes information for each opportunity of the user [see par. 0141, lines 10-18].

Regarding to claim 11, Amerasinghe et al disclose wherein the information for each opportunity includes opportunity identifier and forecast revenue [see par. 0102, lines 5-10; see par. 0116, lines 1-3 and figure 16 and 19].

Regarding to claim 12, Amerasinghe et al disclose wherein the summary area includes a row of information for each forecast snapshot within the forecast period, the participant area includes a row of information for each participant within each forecast snapshot within the forecast period, and the user area includes a row for each opportunity of the user [see par. 0139, par. 0141, lines 10-16 and figures 24-25].

Regarding to claim 13, Amerasinghe et al disclose wherein information of the summary area includes forecasted quantity of a product [see figure 16 for quantity of a product].

Regarding to claim 14, Amerasinghe et al disclose wherein the information of the summary area includes closed quantity of a product [see figure 16 for revenue class/closed of a product].

Regarding to claim 15, Amerasinghe et al disclose wherein the information of the summary area includes pipeline quantity of a product [...total revenue for all revenue/pipeline revenue; see figures 26-27].

Regarding to claim 16, Amerasinghe et al disclose a computer system for presenting forecast information, comprising:

- a data store with forecast snapshots having a forecast date, a forecast period, and forecast information [...creates forecast data; see par. 0118, lines 1-5; at least figure 22 for forecast date 216, forecast period 448 and summary forecasts 437];

- a component that, for each forecast snapshot for a forecast period, retrieves forecasts for participants of the forecast [...revenue management software tool enables user to enter and retrieve forecast data; see par. 0006, lines 12-17]; and

- a component that generates a display description with a summary area that includes summary information of the retrieved forecasts for participants of the forecast, a participants area that includes information of the retrieved forecasts of each participant, and a user area that includes information of opportunities of a user [...summary view 460; participant area 464 and 462 that includes participant information; the form 462 is also a user area that enable a user to view his or her forecast and others participant; see par. 0139; 0140; 0141 and figures 24-27].

Regarding to claim 17, Amerasinghe et al disclose wherein the information of the areas includes a date for each forecast snapshot [see par. 0142, lines 7-10 and figure 25].

Regarding to claim 18, Amerasinghe et al disclose wherein the participants area includes a row for each participant that, when selected, provides more detailed information about each participant, the more detailed information including opportunity information retrieved from a snapshot [see par. 0139, par. 0141, lines 10-18 and figures 24-25].

Regarding to claim 19, Amerasinghe et al disclose wherein information of the summary area includes forecast revenue [...forecast revenue; see par. 0116, lines 1-3 and figure 19].

Regarding to claim 20, Amerasinghe et al disclose wherein the information of the summary area includes closed revenue [...revenue class/closed revenue; see par. 0105, lines 4-5; and figure 16].

Regarding to claim 21, Amerasinghe et al disclose wherein the information of the summary area includes expected revenue [see par. 0115, lines 8-9 and figure 25].

Regarding to claim 22, Amerasinghe et al disclose including a component that automatically generates forecasts in accordance with a forecast definition [see par. 0108, lines 1-4].

Regarding to claim 23, Amerasinghe et al disclose wherein information of the participants area includes forecast revenue [...forecast revenue; see par. 0116, lines 1-3 and figure 19].

Regarding to claim 24, Amerasinghe et al disclose wherein the information of the participants area includes pipeline revenue [...total revenue for all revenue/pipeline revenue; see figures 26-27].

Regarding to claim 25, Amerasinghe et al disclose wherein the information of the participants area includes name of the participant [see figures 24-25].

Regarding to claim 26, Amerasinghe et al disclose wherein the user area includes information for each current opportunity of the user [...users enters opportunities information and able to view detail revenue schedule information for the opportunity; see par. 0102, lines 1-5; par. 0104, lines 1-5; par. 0106; 0108 and figures 16-17].

Regarding to claim 27, Amerasinghe et al disclose wherein the user area includes information for each opportunity of the user stored in a snapshot [see par. 0016, par. 0068, lines 13-15 and figure 8].

Regarding to claim 28, Amerasinghe et al disclose wherein the summary area includes a row of information for each forecast snapshot within the forecast period, the participant area includes a row of information for each participant within each forecast snapshot within the forecast period, and the user area includes a row for each opportunity of the user [see par. 0139, par. 0141, lines 10-18 and figures 24-25].

Regarding to claim 29, Amerasinghe et al disclose wherein information of the summary area includes forecasted quantity of a product [see figure 16 for quantity of a product].

Regarding to claim 30, Amerasinghe et al disclose wherein the information of the summary area includes closed quantity of a product [see figure 16 for revenue class/closed of a product].

Regarding to claim 31, Amerasinghe et al disclose wherein the information of the summary area includes pipeline quantity of a product [...total revenue for all revenue/pipeline revenue; see figures 26-27].

Regarding to claim 32, Amerasinghe et al disclose a computer-readable medium for controlling a computer system to present forecast information, by a method comprising:

providing forecast snapshots, each forecast snapshot having a forecast date, a forecast period, and summary forecasts [...creates forecast data; see par. 0118, lines 1-5; at least figure 22 for forecast date 216, forecast period 448 and summary forecasts 437];

for each forecast snapshot for the requested forecast period, retrieving forecasts for participants of the forecast [...forecast data stored in the database are then retrieved corresponding to the user; see par. 0006, lines 8-18; par. 0065, lines 1-11 and figures 6A-6B]; and

generating a display description with a summary area that includes summary information of the retrieved forecasts for participants of the forecast and a participants area that includes information of the retrieved forecasts of each participant [...summary view 460; participant area 464 and 462 that includes participant information; see par. 0139; 0140; 0141 and figures 24-25].

Regarding to claim 33, Amerasinghe et al disclose wherein the information of the areas includes a date for each forecast snapshot [see par. 0142, lines 7-10 and figure 25].

Regarding to claim 34, Amerasinghe et al disclose wherein the participants area includes a row for each participant that, when selected, provides more detailed information about each participant [see par. 0141, lines 10-18 and figures 24-25].

Regarding to claim 35, Amerasinghe et al disclose wherein the information of the participants area includes name of the participant [see figures 24-25].

Regarding to claim 36, Amerasinghe et al disclose wherein the summary area includes a row of information for each forecast snapshot within the forecast period and the participant area includes a row of information for each participant within each forecast snapshot within the forecast period [see figures 24-25].

Regarding to claim 37, Amerasinghe et al disclose wherein information of the summary area includes forecasted quantity of a product [see figure 16 for quantity of a product].

Regarding to claim 38, Amerasinghe et al disclose a computer-readable medium containing a data structure comprising:

- a summary area that includes summary information of forecasts for participants of a forecast, the summary information being generated based on forecast snapshots having a forecast date, a forecast period, and summary forecasts [see figures 24-25];

- a participants area that includes information of forecasts of each participant that

is generated based on the forecast snapshots [...participant area 464 and 462 that includes participant information; see par. 0139 and figures 24-25]; and

a user area that includes information of the retrieved current opportunities of the user the form 462 is also a user area that enable a user to view his or her forecast and others participant; see par. 0140; par. 0141 and figures 24-25].

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. The US Paten to Sultan discloses a method and system of generating a real time global sales forecast for a company. The US Patent Application Publication to Lun discloses online real time business planning and financial report forecast system and to Lindquist et al. disclose method and apparatus for improved forecasting using multiple sources.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy-Vi Nguyen whose telephone number is 571-270-1614. The examiner can normally be reached on Monday through Thursday from 8:30 A.M to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrence Till can be reached on 571-272-1280. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thuy-Vi Nguyen/

Examiner, Art Unit 4175

/Brian D Nash/

Primary Examiner, Art Unit 3721